

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHARLES L. FREEZE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL NO. 1:05CV220
)	
VA MEDICAL CENTER,)	
)	
Defendant.)	

ORDER and INJUNCTION

BULLOCK, District Judge

Plaintiff, proceeding pro se and in forma pauperis, has brought at least eight civil actions in this court since 2001. Plaintiff's complaints have been determined to have no basis in law or in fact, and many have been frivolous. Instead of responding to defenses raised by the defendants with relevant and admissible evidence and contentions, Plaintiff often accuses defendants' representatives of perjury and other acts of misconduct. Plaintiff also contends that court officials are biased against him. Plaintiff himself has been the subject of criminal proceedings in this court for trespass and resisting an officer at a Veterans Administration facility, for which he was found guilty and fined.

However well-intentioned initially, Plaintiff's repeated attempts to litigate and re-litigate issues concerning the treatment of his father as well as himself by the Veterans Administration and other government agents and employees has become frivolous and malicious, and has caused repeated expenditures of scarce judicial resources.

NOW, THEREFORE, IT IS ORDERED that Plaintiff, or anyone acting on his behalf, is **ENJOINED** from filing any new action in this court without first obtaining leave of court. Leave of court shall be given upon Plaintiff demonstrating in a properly filed motion that:

(1) The claim can survive a challenge under Rule 12 of the Federal Rules of Civil Procedure;

(2) The claim is not barred by principles of issue or claim preclusion;

(3) The claim is not repetitive or violative of a court order; and

(4) The complaint is in compliance with Rule 11 of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Plaintiff attach a copy of this Order and Injunction to any motion seeking leave of court to file a new action. This order does not apply to the filing of a

timely notice of appeal from this court to the Court of Appeals or to papers filed solely in furtherance of such appeal.

IT IS FURTHER ORDERED that the Clerk shall refuse to accept for filing any submissions by the Plaintiff not accompanied by a copy of this Order and a motion seeking leave of court. In the event that Plaintiff succeeds in filing papers in violation of this order, the Clerk shall, upon notice and without further order of the court, summarily strike such filing.


United States District Judge

December 29, 2005